

REMARKS

Claims 69–117 are pending in this application. By this Amendment, claims 1–11 and 17–68 are canceled and claims 69–117 are added. To aid the Examiner's analysis, claims 69, 70, 71–91, 92–101 and 102–113 substantially correspond to original claims 1, 2, 6–26, 36–45 48–59, respectively. Claims 114–116 substantially correspond to original claims 58–60. Claim 117 is new. Thus, support for the new claims can be found, for example, in the original claims with modifications to clarify certain features. The amendments to the independent claims to recite features corresponding to UpnP protocol or command can be found, for example, in original claims 10, 17, 52, 57 and 68. No new matter is added. Applicants respectfully request reconsideration and prompt allowance in view of at least the following remarks.

The Office Action objects to the title of the application as not being descriptive. Applicants amend the title to recite " INFORMATION OUTPUT SYSTEM WITH PRINTER ABLE TO OBTAIN INFORMATION FROM NETWORKED ELECTRONIC DEVICES VIA UPNP COMMAND." Applicants believe the Title as amended is sufficiently descriptive and is clearly indicative of the invention to which the claims are directed.

The Office Action objects to claim 5 for depending upon itself. This objection is moot in view of the cancellation of claim 5 and lack of a corresponding new claim.

The Office Action rejects claims 46–49 and 53 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,956,487 (Venkatraman); rejects claims 1–9, 11, 18, 20–32, 36–41, 44, 45, 58–61 and 63 under 35 U.S.C. §103(a) over Venkatraman in further view of U.S. Patent No. 6,198,479 (Humbleman); rejects claims 65–67 under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,621,823 (Mellquist); rejects claims 10 and 17 under 35 U.S.C. §103(a) over Humbleman in view of Venkatraman in further view of an Official Notice; rejects claims 13–15, 33, 34, 42, 43 and 54–56 under 35 U.S.C. §103(a) over Humbleman in view of

Venkatraman in further view of U.S. Patent No. 6,167,448 (Hemphill); rejects claims 19, 35, 62 and 64 under 35 U.S.C. §103(a) over Humpleman in view of Venkatraman in further view of U.S. Patent No. 6,654,801 (Mann); rejects claims 50 and 51 under 35 U.S.C. §103(a) over Venkatraman in further view of Humpleman; rejects claim 52 under 35 U.S.C. §103(a) over Venkatraman in further view of an Official Notice; rejects claim 57 under 35 U.S.C. §103(a) over Humpleman in view of Venkatraman in view of Hemphill in further view of an Official Notice; and rejects claim 68 under 35 U.S.C. §103(a) over Mellquist in view of an Official Notice. Applicants traverse the rejections.

The Office Action relies on an Official Notice to teach or suggest the use of a UPnP protocol. For example, the Office Action states, "Official notice is taken in that the use of the UPnP protocol would have been obvious at the time of applicant's invention. See MPEP 2144.03. One example can be found in U.S. Pub. No. 2002/0029256 (Zintel, et al)" (Office Action at page 21). Applicants respectfully challenge the Official Notice taken by the Office Action.

As outlined in M.P.E.P. § 2144.03(B), general conclusions concerning what is "basic knowledge" or "common sense" to one of ordinary skill in the art without specific factual findings and some concrete evidence in the record to support these findings cannot support an obviousness rejection." The circumstances that official notice are taken "should be rare when an application is under final rejection" (M.P.E.P. §2144.03(A)). The Examiner must provide the applicant "explicit basis on which the examiner regards the matter as subject to official notice" (M.P.E.P. §2144.03(B)). Merely stating "UPnP protocol would have been obvious as the time of applicant's invention" fails to provide the required "explicit basis". Further, merely citing U.S. Patent Application Publication No. 2002/0029256 (Zintel) as an alleged example of use of UPnP protocol does not constitute "specific factual findings and some concrete evidence."

Further, the allegation of Official Notice with respect to use of the UPnP protocol being obvious at the time of the invention fails to teach or suggest the specific recitation of the UPnP protocol as recited in the claims. For example, claims 69 and 114 recite a "printer comprising . . . a UPnP command transmitting module that transmits a predetermined command of a UPnP protocol for requesting said at least one device selected by the selecting module to transmit link information;" claims 92 and 101 recite "transmitting link information indicative of a location of data to be output in response to a predetermined command of a UPnP protocol from the printer;" claim 102 recites "a link information transmitting module that transmits the link information to the printer in response to a predetermined command of a UPnP protocol requesting for the link information transmitted from the printer;" and claim 107 recites "a link information transmitting module that transmits the link information to the printer in response to a predetermined command of a UPnP protocol received from the printer." Not only does the Official Notice fail to provide specific factual findings to support an explicit basis, the allegation of Official Notice fails to even teach or suggests the above recited features. For this reason, the Official Notice fails to teach or suggest the above independent claims. Therefore, independent claims 69, 92, 101, 102, 107 and 114 are patentable.

Further, dependent claims 70–91, 93–100, 103–106, 108–113 and 115–117 are patentable, based on the patentability of the independent claims, as well as for the additional features they recite and the failures of the presumptions that the cited references disclose the features recited in the intervening claims they depend from. Accordingly, Applicants assert the pending claims are patentable.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Jesse O. Collier
Registration No. 53,839

JAO:KRG/hs

Attachments:

Extension of Time
Request for Continued Examination

Date: October 16, 2008

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

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